

REMARKS

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made".

Applicants make these Preliminary Amendments prior to examination and without prejudice or disclaimer of any excluded subject matter, and expressly reserve the right to pursue such subject matter in this application or in one or more continuing applications.

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to Deposit Account No. 03-1952.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification:

At page 1, line 12, under the title, a new paragraph has been added.

In the Claims:

Claims 28, 30 and 31 have been amended as follows:

28. (Amended) A polynucleotide according to [any of the previous claims] claim 1 further comprising a gene operably linked to the transcriptionally-activated ITR.

30. (Amended) An AAV viral particle comprising a polynucleotide of [any of the previous claims] claim 1.

31. (Amended) A mammalian cell comprising a polynucleotide according to [any of claims 1 to 29] claim 1, wherein said polynucleotide is stably integrated into a chromosome of said cell.